1	ORDINANCE 2012-13
2 3 4 5 6 7 8 9 10 11 12	AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 20, "UTILITIES," OF THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE II, "SANITARY SEWER SYSTEM," SECTION 20-19 "RATES AND CHARGES", AND SECTION 20-23 "DEFINITIONS" IN ORDER TO ADOPT REVISIONS TO THE SCHEDULE OF RATES AND CHARGES FOR SANITARY SEWAGE COLLECTION, TRANSMISSION AND DISPOSAL; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.
13	WHEREAS, the Town Commission desires to amend its Code of Ordinances to change
14	the sanitary sewer rates charged to properties connected to the Town's sewer system and to
15	change the methodology of calculating the rates, in order to better provide for future costs of
16	collecting and treating sewage; and
17	WHEREAS, the new sewer rates shall be applied to consumption beginning with the
18	, 2012 bill.
19 20	NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AS FOLLOWS:
21 22	SECTION 1. Recitals. The foregoing "Whereas" clauses are ratified and confirmed as
23	being true, correct and reflective of the legislative intent underlying this Ordinance and are
24	hereby made a specific part of this Ordinance.
25	SECTION 2. Amending Section 20-19. Section 20-19 "Rates and Charges" of Article
26	II "Sanitary Sewer System" of Chapter 20 "Utilities" is hereby amended as follows: 1
27	Sec. 20-19. Rates and Charges.
28 29 30 31 32	(a) <i>Established</i> . There is hereby levied and established a schedule of rates and charges for sanitary sewage disposal services against each and every person, firm, partnership, corporation or other legal entity owning or using any buildings or structures in the Town inhabited or used by human beings as a place of residence, business or otherwise.

Additions to existing text are shown in <u>underline</u>. Deletions are shown in <u>strikethrough</u>.

33	(b)	Amounts of rates and charges.
34		(1) Manual la comita la confecilita de constante de la constante de la confecilita del confecilita de la confecilita de la confecilita del confecilita de la
35		(1) Monthly-service <u>base facility</u> charge per single-family unit \$14.89 <u>\$8.92</u> ,
36		
37		(2) Monthly—service base facility charge per multi-family unit, including
38	duplex	es: \$14.26 <u>\$3.68,</u>
39		
40		(3) Monthly service base facility charge per commercial customer unit:\$16.33
41	<u>\$8.92,</u>	
42		multiplied by the number of applicable equivalent units, based on the calculation
43	as follo	DWS:
44		
45		A. Equivalent units are deemed to be the average volume in gallons of the three
46		highest months water usage during the twelve-month period ending
47		September 30, 2011, divided by a factor of 10,000 (rounded up to the next
48		whole number). At any time the Town may recalculate the equivalent units for
49		a customer based on water usage during the preceding twelve month period.
50		The customer may make a written request to the Town to recalculate the
51		equivalent units based on water usage during the preceding twelve month
52		period, provided that no more than one such request is made per calendar
53		year.
54		
55		B. In the event the there is a change in ownership or substantial change in use of
56		a property, the equivalent units shall be deemed the same as that of the prior
57		use of that property. At any time the Town may recalculate the equivalent
58		units for a customer based on water usage during the preceding twelve month
59		period. The customer may make a written request to the Town to recalculate
60		the equivalent units based on water usage during the preceding twelve month
61		period, provided that no more than one such request is made per calendar
62		year.
63		your.
64		C. In the event the customer is located at a property with no prior sewer
65		connection, the equivalent units shall be determined based on meter size as
66		shown in the following table:
67		snown in the following table.
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Meter Size	Equivalent Units
5/8"	1.0
3/4"	1.0
1"	2.5
1.5"	5.0
2"	8.0
3"	16.0
4"	25.0
6"	50.0
8"	80.0
10"	115.0

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At any time the Town may recalculate the equivalent units for a customer based on water usage during the preceding twelve month period. The customer may make a written request to the Town to recalculate the equivalent units based on water usage during the preceding twelve month period, provided that no more than one such request is made per calendar year.

(4) Consumption rate charged per 1,000 gallons of water usage:

All customer classes \$3.46 \$5.13

All-Residential units will not be charged a consumption rate for usage in excess of 10.000 gallons per month

(5) Monthly customer service/administration charge per meter:

All customer classes. \$ 1.31

SECTION 3. Amending Section 20-23. Section 20-23 "Definitions" of Article II

"Sanitary Sewer System" of Chapter 20 "Utilities" is hereby amended as follows:²

^[2] Additions to existing text are shown in <u>underline</u>. Deletions are shown in <u>strikethrough</u>.

106	Sec. 20-23. Definitions.
107	For the purpose of this article, the following definitions shall apply unless the context
108	clearly indicates or requires a different meaning:
109	
110	BOD or biochemical oxygen demand shall mean the quantity of oxygen utilized in the
111	biochemical oxidation of organic matter under standard laboratory procedure in five days at
112	20°C expressed in milligrams per liter.
113	
114	Combined sewage shall mean a combination of the water-carried wastes from residences,
115	business buildings, institutions, and industrial establishments, together with any ground, surface,
116	and storm waters as may be present.
117	
118	Commercial customer shall mean a customer that is not a single family or multi-family
119	customer. Included in this definition are mixed use properties that do not have separate meters
120	for commercial and residential areas and transient public lodging establishments.
121	Commonaid weit shall many
122	Commercial unit shall mean:
123	(1) A structure housing one business served by one meter. Included in this
124	definition are individual business areas within a multi-user structure when each is served
125	by an individual meter.
126	by an marvidual meter.
127 128	(2) Each business, excluding hotels and motels, with separate public access,
129	such as a store in a mall, if the business is provided with water service and has two or
130	more plumbing fixtures, will be considered a unit. Laundry services, such as a
131	laundromat, will be considered as one unit.
132	raundromat, will be considered as one unit.
133	(3) A domicile when supplied by a commercial meter. This shall include a
134	resident manager's apartment offices located inside of a predominantly commercial
135	structure.
136	Situation.
137	(4) For hotels, apartment hotels, motels, or apartment motels the following
138	definitions shall apply:
139	Total of the second of the sec
140	a. Each room (intended for occupancy by a guest) containing two or
141	more plumbing fixtures and having separate access within a hotel, apartment
142	hotel, motel, or apartment motel will be considered a unit. Meeting rooms
143	within a hotel will be considered as part of the commons area.
144	•
145	b. Each business within separate public access, if the business is
146	provided with water service, and contains two or more plumbing fixtures will be
147	considered one unit.
148	
149	(5) If more than one meter provides service to a subunit of a building, a
150	building, or a multiple building complex (a looped plumbing system), then the number

151	of units will be divided evenly among all meters. However, no meter will be billed for
152	less than one unit.
153	***
154	
155	
156	Mixed-use property shall mean a property which encompasses both residential and non-
157	residential uses.
158	
159	Multi-family unit shall mean:
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161	(1) Each domicile in a multi-family meter connection will be considered a
162	unit. This will include both individual apartment units, and if several single-family
163	structures are connected to one meter, each single-family structure will be considered a
164	unit, provided that no more than 25 percent of the units in the building, complex of
165	buildings, or group of single family structures connected to one meter are advertised,
166	held out to be, or used by the public as a transient public lodging establishment.
167 168	(2) If more than one meter provides service to a submit sub-unit of a building,
169	a building, or a multiple building complex (a looped plumbing system), then the number
170	of units will be divided evenly among all meters. However, no meter will be billed for
171	less than one unit.
172	***
173	
174	Transient public lodging establishment shall mean any unit, group of units, dwelling,
175	building, or group of buildings within a single complex of buildings which is rented to guests
176	more than three times in a calendar year for periods of less than 30 days or one calendar month,
177	whichever is less, or which is advertised, held out to be or used by the public as a place regularly
178	rented to guests.
179	***
180	<u> </u>
181 182	SECTION 4. Severability. If any section, sentence, clause, or phrase of this Ordinance
102	is held to be invested an unconstitutional by any assume of assumptant invisdiction, then said helding
183	is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
184	shall in no way affect the validity of the remaining portions of this Ordinance.
185	SECTION 5. Conflicts. All prior ordinances or resolutions or parts thereof in conflict
186	herewith are hereby repealed to the extent of such conflict.
187	SECTION 6. Effective Date. This Ordinance shall become effective upon adoption on
188	second reading.
189	Passed on the first reading, this day of, 2012.

Passed and adopted on the secon	nd reading, this day	of	, 2012.
			
	May	or Roseann M	linnet
	E' (D 1'	C	1 D 1'
	First Reading	Sec	cond Reading
Maryan Minnat			
Mayor Minnet			
Vice-Mayor Sasser			
vice-iviayor Sasser			
Commissioner Brown			
Commissioner Brown			
Commissioner Dodd			
Commissioner Vincent			
Attest:			
Town Clerk, June White			
(CORPORATE SEAL)			
Approved as to form:			
Approved as to form.			
Town Attorney, Susan L. Trevar	 rthen		